

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Mary T. Thomas, *et al.*,

No.: 3:20-cv-01552-JMC

Plaintiffs,

v.

Marci Andino, *et al.*,

**Election Defendants'
Motion for Summary Judgment**

Defendants.

Defendants Marci Andino, John Wells, JoAnne Day, Clifford J. Edler, Linda McCall, and Scott Moseley, pursuant to Federal Rule of Civil Procedure 56, move for summary judgment on all six of the Plaintiffs' claims.

The Plaintiffs challenge two provisions of South Carolina's absentee voting laws: the Qualification Requirement and the Witness Requirement. First, they bring claims under the United States Constitution, Voting Rights Act ("VRA"), and Americans with Disabilities Act ("ADA") seeking to enjoin the requirement that all South Carolinians must meet a statutory qualification to vote by absentee ballot. *See* S.C. Code § 7-15-320. Second, they bring those same three claims attempting to enjoin the requirement that a voter's oath on an absentee mail ballot must be witnessed. *See* S.C. Code § 7-15-380.

The Plaintiffs do not even have standing to assert their challenges to the Qualification Requirement. On the merits, their challenges to both provisions lack merit.

This motion is supported by the attached memorandum and exhibits, pursuant to Local Civil Rule 7.04.

Respectfully Submitted,

s/ Wm. Grayson Lambert

M. Elizabeth Crum
Fed. ID No. 372
Wm. Grayson Lambert
Fed. ID No. 11761
Jane W. Trinkley
Fed. ID No. 4143
BURR & FORMAN LLP
Post Office Box 11390
Columbia, SC 29211
(803) 799-9800

Robert Bolchoz
ROBERT BOLCHOZ LLC
P.O. Box 6989
Columbia, SC 29260
(803) 790-7474

Karl Smith Bowers, Jr.
BOWERS LAW OFFICE
P.O. Box 50549
Columbia, SC 29250
(803) 753-1099

Harrison D. Brant
STATE ELECTION COMMISSION
1122 Lady Street, Suite 500
Columbia, SC 29201
(803) 734-9063

Counsel for Election Defendants